

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Kazuhiro Gono      **Examiner:** Sanjay Cattungal  
**Serial No.:** 10/534,921      **Art Unit:** 3768  
**Filed:** May 9, 2005      **Docket:** 18871  
**For:** IMAGING APPARATUS      **Dated:** September 5, 2008  
**Conf. No.:** 1792

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 23313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. Backman, V., et al., "Measuring Cellular Structure at Submicrometer Scale with Light Scattering Spectroscopy", IEEE Journal on Selected Topics in Quantum Electronics, Vol. 7, No. 6, November/December 2001, pp. 887-893;
2. Gurjar, R., et al., "Imaging human epithelial properties with polarized light-scattering spectroscopy", Nature Medicine, Vol. 7, No. 11, November 2001, pp. 1245-1248; and
3. International Publication No. WO 99/18845 published April 22, 1999.

**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that this correspondence is being deposited with the United States Patent & Trademark Office via Electronic Filing through the United States Patent and Trademark Office e-business website on the date set forth below.

Dated: September 5, 2008

Thomas Spinelli

The references were cited in Supplementary European Search Report dated August 8, 2008. Applicant is submitting copies of the above-cited references required by 37 C.F.R. 1.98 (a)(2)(i) and (ii), together with a copy of the Search Report. Please note that the other reference cited in the Search Report, namely, Backman, V., et al., "Polarized Light Scattering Spectroscopy for Quantitative Measurement of Epithelial Cellular Structures *In Situ*", IEEE Journal of Selected Topics in Quantum Electronics, Vol. 5, No. 4, July/August 1999, pp. 1019-1026 was previously submitted in applicants' Information Disclosure Statement dated May 9, 2005.

Further, the undersigned hereby states that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Further, inasmuch as this Information Disclosure Statement is also being submitted in accordance with the schedule set out in 37 C.F.R. § 1.704(d), a statement is attached.

Respectfully submitted,

  
Thomas Spinelli  
Registration No.: 39,533

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**STATEMENT PURSUANT TO 37 C.F.R. §1.704(d)**

Sir:

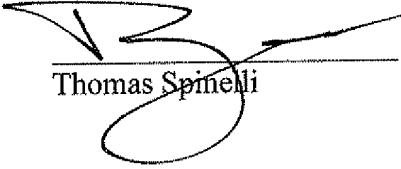
I hereby state that each item of information contained in the Information Disclosure Statement submitted herewith was first cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

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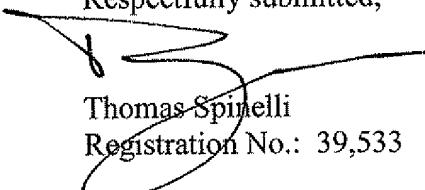
Dated: September 5, 2008



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Therefore, the Information Disclosure Statement submitted herewith cannot be considered a failure to engage in reasonable efforts to conclude prosecution of the application under paragraphs (c)(6), (c)(8), (c)(9), or (c)(10) of 37 C.F.R. §1.704.

Respectfully submitted,

  
Thomas Spinelli  
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